



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

December 31, 1990

Ms. Laura S. Groce
Henslee, Ryan & Groce
Attorneys for Howard County
Junior College District
3432 Greystone Drive, Suite 200
Austin, Texas 78731

OR90-597

Dear Ms. Groce:

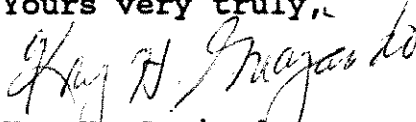
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10259.

The Howard County Junior College District received an open records request from a reporter for a copy of the "individual comment section" of a survey of faculty attitudes about its administrators. The introduction section of the survey indicates that the survey was initiated by the office of the president of the college to address concerns about the "organizational climate" of the college. You inform us that the results of the survey will be used in formulating a "Presidential Plan" for 1990-91. You raise sections 3(a)(11) and 3(a)(1) as exceptions to its disclosure..

We agree that the survey is excepted from disclosure based on section 3(a)(11) of the Open Records Act. Evaluations of school administrators, made by faculty members pursuant to a school policy calling for such evaluations, meets the test for protection under section 3(a)(11). See Open Records Decision No. 464 (1987); see also Open Records Decision No. 538 (1990). Accordingly, you may withhold the survey. Having resolved this matter based on section 3(a)(11), we need not address your contentions based on section 3(a)(1).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-597.

Yours very truly,



Kay H. Guajardo
Assistant Attorney General
Opinion Committee

KHG/le

Ref.: ID# 10259, 11221

Enclosure: Open Records Decision Nos. 538, 464

cc: Karen McCarthy
Managing Editor
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